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ABSTRACT

Developments in several states suggest that a state-imposed accountability system is gradually taking shape. State authorities have established both incentive systems to reward high-performing school districts and systems of sanctions to be applied to districts with a record of repeated low performance. To accomplish this, a majority of states are now collecting from local districts a formidable array of statistics on student performance, including, at the very least, student achievement test scores, minimum competency scores, or both. Incentives are generally of two types: financial and deregulatory. Consequences of a state takeover of a district are also discussed. (13 references) (SI)

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By Bruce C. Bowers

Over the past thirty years the tradition of "local control" in American public education has been buffeted by increasing pressure from state and federal authorities in such areas as school desegregation, school finance, and education for the handicapped. The major trend has been to hold school districts accountable for overcoming the local forces that impede equal educational opportunity for all school-aged children. More recently, state authorities have also begun to focus on the overall quality of education being provided by local districts. A perusal of developments taking place in several states suggests that a state-imposed "accountability system" is gradually taking shape.

What Form Does This Accountability System Take?

State authorities are wielding both the carrot and the stick in their efforts to make local districts more responsive to the educational needs of students. That is, they have established both an incentive system to reward high-performing districts and a system of sanctions to be applied to districts with a record of repeated low performance. To accomplish this, a majority of states are now collecting from local districts a formidable array of statistics on student performance, including, at the very least, student achievement test scores, minimum competency scores, or both.

What Incentives Are Being Awarded to Districts with High Performance Levels?

Incentives are generally of two types: financial and "deregulatory." For example, in fall 1988, Texas Lieutenant Governor Bill Hobby unveiled a plan to provide state financial incentives to districts that improve student performance on test scores (Mathis 1988). On a larger scale, Michigan Governor James Blanchard has proposed to provide $500 million in incentive funds to districts that raise their students' scores on the state's assessment test (Mirga 1988).

On the other hand, incentives of a "deregulatory" nature have been proposed by South Carolina's Governor Caroll Campbell, Jr., who recently announced a proposal to exempt nearly one-fourth of the state's 1,100 districts from virtually all state regulations, based on those districts' student test scores (Flax 1988).

What Problems Are Associated with Rewards for District Performance?

As Chris Pipho (1987), director of the Education Commission of the States Clearinghouse, states, "turning the media spotlight on a host of outcome variables without alerting everyone concerned to the differences at the starting gate will undoubtedly cause some problems at the local level." If performance indicators are used indiscriminately, without taking into account, for example, the socioeconomic differences among the districts, then the lower performing districts will also, for the most part, be the poorer districts. Such eventualities could give rise to an entire new round of equity/finance-related court challenges.

A harbinger of this possible direction was seen in New York City school officials' reaction to New York State's release, in 1985, of its first school-by-school indicators. They claimed the assessment was unfair because, of the 600 schools identified as "most in need of improvement," 417 were in New York City's poorest sections (Hooper 1985). South Carolina has taken this potential problem into account in its proposed "deregulation" legislation by establishing comparable socioeconomic groupings before isolating the high performing schools.

What Sanctions Are Being Proposed for Districts with Low Performance Levels?

Traditionally the major "weapon" used by states to "punish" a school district that fails to meet state standards has been to decertify the district until it complies was established standards. This has historically been an issue primarily with small, rural districts, and the solution has often been to merge the noncomplying district with a neighboring district.

Recently, however, a much more radical approach is being implemented in states where grave concerns about some of its larger districts have been raised. In these states, sanctions include a close monitoring of the low-performing district and, if performance does not improve, an eventual placement of that district into "receivership" by the state on a charge of "academic bankruptcy."

Which States Are Currently Implementing "Academic Bankruptcy" Legislation?

To date, nine states have passed "academic

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bankruptcy" laws that permit state takeovers of educationally substandard school districts. Of these, only two states—New Jersey and Kentucky—have attempted an actual takeover.

In May 1988, New Jersey Education Commissioner Saul Cooperman began proceedings to take control of the Jersey City public schools, "describing the district as 'bleak' and rife with patronage, cronyism and fiscal misdealings" (Jennings 1988). The Jersey City Board of Education responded by spending over $1.4 million in a court battle to overturn the decision. On July 26, 1989, Administrative Law Judge Ken Springer recommended that the state assume full control of the district, the second largest in the state. After hearing evidence in the case, Judge Springer concluded that the Jersey City school board had "so lost its own way that it cannot be counted on to lead the children to educational quality" (Jennings 1989). If the judge's recommendation is upheld by the State Board of Education (seen as a formality by most observers), Jersey City could become the first major urban school system in the nation to come under full state control. According to Melodye Bush of the Education Commission of the States, "the New Jersey effort is being watched as a test by educators across the country" (Brinckman 1989).

The only other state takeover effort to date was launched in January 1989 by the Kentucky State Board for Elementary and Secondary Education against the Floyd and Whitley County school districts. Both districts suffered from major deficiencies in student attendance, test scores, and financial stability, according to state officials (Cropper 1989).

What Are the Consequences of a State Takeover of a District?

New Jersey and Kentucky have adopted very similar approaches to assuming state control of a district. A complete takeover is implemented only after the district has been monitored for at least a year and, in addition, given technical assistance if deficiencies remain after the monitoring phase. In New Jersey, for example, the plan includes the removal of the current superintendent, the board of education, and other key administrators and the appointing of a state district superintendent who will have authority over the district for at least five years (New Jersey State Department of Education 1986).

Such legislation, if fully implemented, as is the case in the Jersey City district, clearly eradicates all vestiges of local control. Proponents of "state takeover" legislation suggest, however, that the fundamental issue is not that of local control but of quality education. Cooperman (1988) summarized it this way: "Takeover does not threaten *responsible* local control of schools. It is reserved for *extreme* cases in which a district has reached a state of decay that is analogous to the failure of a bankrupt business....We must assure that the 'thorough and efficient' schools provision of our state constitution is met. And the best way to achieve *lasting* improvement in a deficient school district is to establish *responsible local* control."

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